



**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:14-CR-79(2)

XAVIER ODARIUS CLARK

§

**ORDER ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge [Clerk's Doc. #166]. The magistrate judge recommended that the Court accept the defendant's guilty plea and conditionally accept the plea agreement. The magistrate judge also recommended that the Court accept the defendant's guilty plea. He further recommended that the Court finally adjudge the defendant as guilty on Count One of the Indictment filed against the defendant in this cause.

The parties have not objected to the magistrate judge's findings. The Court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea [Clerk's Doc. #166] of the United States

Magistrate Judge are **ADOPTED**. The Court defers acceptance of the plea agreement and plea agreement addendum until after review of the presentence report.

It is further **ORDERED** that, in accordance with the defendant's guilty plea and the magistrate judge's findings and recommendation, the defendant, Xavier Odarius Clark, is hereby adjudged as guilty on Count One of the Indictment charging violations of 18 U.S.C. §§ 2113(a) and 2.

SIGNED this the **3** day of **August, 2015**.



Thad Heartfield
United States District Judge